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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,575	03/25/2004	Arjan De Mes	GB920030013US1	7131

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EXAMINER	
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ART UNIT	PAPER NUMBER
2164	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/809,575	DE MES, ARJAN	
	Examiner	Art Unit	
	REZWANUL MAHMOOD	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *34-41 and 46-53* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *34-41 and 46-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

In view of the Appeal Brief filed on 29 October 2008, PROSECUTION IS HEREBY REOPENED. The rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

_____

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 34, 36, 38, 40, 46, 48, 50, and 52 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claims 34, 38, 46, and 50, the negative limitations "does not include displaying either a time or a date with said web sites" or "does not display either a time or a date with said web sites in said list" is not described in the specification.

In claims 36, 40, 48, and 52, the limitation "a color other than a shade of gray" is not described in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 34-41 and 46-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sommerer (US Publication 2004/0003351) in view of Pentikainen

(US Publication 2004/0073713) and in further view of Van Der Meulen (US Publication 2002/0129164).

With respect to claim 34, Sommerer discloses a method for displaying a web browsing history, said method comprising the steps of:

displaying a list of names of web sites visited by a user (Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27),

However, Sommerer does not explicitly disclose:

said list of names of said web sites being displayed in an order based on a time since last visit by said user to a respective web site of said web sites displayed in said list;

The Pentikainen reference, however, discloses a list of names of web sites viewable in an order based on a time since last visit by a user to a respective web site of the web sites displayed in the list (Pentikainen: Paragraph 100, lines 1-26).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer with the teachings of Pentikainen to display a list of web site names in an order based on a time since last visit by a user to a respective web site of the web sites in the list for controlling display of data in the form of content pages (Pentikainen: Paragraph 1, lines 5-6).

However, Sommerer and Pentikainen do not explicitly disclose:

displaying next to each of said names of said web sites, a respective graphic

having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein displaying does not include displaying either a time or a date with said web sites.

The Van Der Meulen reference, however, discloses displaying next to each names of web sites a respective graphic having intensity that corresponds to the level of validity of the first path associated with each web site displayed; wherein displaying does not include displaying either a time or a date with the web sites (Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer and Pentikainen with the teachings of Van Der Meulen for displaying next to each of said names of said web sites, a respective graphic having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein displaying does not include displaying either a time or a date with said web sites, for enabling efficient update of a user interface element with time (Van Der Meulen: Paragraph 9, lines 1-3).

With respect to claim 35, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a method as set forth in claim 34, wherein said intensity of said respective graphic next to a name of a respective newer web site in said list of names of web sites is more intense for a newer web site more recently visited by said user than said intensity of said respective graphic next to another name of another older

web site in said list of names of said web sites that corresponds to an older web site less recently visited by said user (Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27; Pentikainen: Paragraph 100, lines 1-26; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 36, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a method as set forth in claim 34, wherein said respective graphic next to said respective web site comprises a color other than a shade of gray (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 37, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a method as set forth in claim 34, wherein said respective graphic next to said respective newer web site in said list of names of said web sites adjoins with said another respective graphic next to said another older web site to form a gradient bar corresponding to said list of names of said web sites (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3; Here the graphics for multiple web site can adjoin each other to form a generally rectangular region perpendicular to the web site names, and combined with the various color intensities of the graphics can be similar to a gradient bar).

With respect to claim 38, Sommerer discloses a method for displaying a web browsing history, said method comprising the steps of:

displaying a list of names of web sites visited by a user (Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27),

However, Sommerer does not explicitly disclose:

said list of names of said web sites being displayed in an order based on frequency of visits by said user;

The Pentikainen reference, however, discloses a list of names of web sites viewable in an order based on a visit count (Pentikainen: Paragraph 100, lines 1-26).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer with the teachings of Pentikainen to display a list of web site names in an order based on frequency of visits by a user for controlling display of data in the form of content pages (Pentikainen: Paragraph 1, lines 5-6).

However, Sommerer and Pentikainen do not explicitly disclose:

displaying next to each of said names of said web sites, a respective graphic having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein displaying does not include displaying either a time or a date with said web sites.

The Van Der Meulen reference, however, discloses displaying next to each names of web sites a respective graphic having intensity that corresponds to the level of validity of the first path associated with each web site displayed; wherein displaying

does not include displaying either a time or a date with the web sites (Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer and Pentikainen with the teachings of Van Der Meulen for displaying next to each of said names of said web sites, a respective graphic having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein displaying does not include displaying either a time or a date with said web sites, for enabling efficient update of a user interface element with time (Van Der Meulen: Paragraph 9, lines 1-3).

With respect to claim 39, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a method as set forth in claim 38, wherein said intensity of said respective graphic next to a name of a respective web site in said list of names of web sites is more intense for a web site more frequently visited by said user than said intensity of said respective graphic next to another name of another web site in said list of names of said web sites that corresponds to another web site less frequently visited by said user (Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27; Pentikainen: Paragraph 100, lines 1-26; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 40, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a method as set forth in claim 38, wherein said respective

graphic next to said respective web site comprises a color other than a shade of gray (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 41, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a method as set forth in claim 38, wherein said respective graphic next to said respective web site in said list of names of said web sites adjoins with said another respective graphic next to said another web site to form a gradient bar corresponding to said list of names of said web sites (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3; Here the graphics for multiple web site can adjoin each other to form a generally rectangular region perpendicular to the web site names, and combined with the various color intensities of the graphics can be similar to a gradient bar).

With respect to claim 46, Sommerer discloses a computer program product stored on a computer readable medium for displaying to a user a web browsing history on a computer system having a central processing unit (Sommerer: Figure 12), said computer program product comprising:

a computer readable medium (Sommerer: Figure 12);

first program instructions to display a list of names of web sites visited by a user (Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27),

However, Sommerer does not explicitly disclose:

said list of names of said web sites being displayed in an order based on a time since last visit by said user to a respective web site of said web sites displayed in said list;

The Pentikainen reference, however, discloses a list of names of web sites viewable in an order based on a time since last visit by a user to a respective web site of the web sites displayed in the list (Pentikainen: Paragraph 100, lines 1-26).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer with the teachings of Pentikainen to display a list of web site names in an order based on a time since last visit by a user to a respective web site of the web sites in the list for controlling display of data in the form of content pages (Pentikainen: Paragraph 1, lines 5-6).

However, Sommerer and Pentikainen do not explicitly disclose:

second program instructions to display, next to each of said names of said web sites, of a respective graphic having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein said list of names of said web sites displayed does not display either a time or a date with said web sites in said list;

The Van Der Meulen reference, however, discloses displaying next to each names of web sites a respective graphic having intensity that corresponds to the level of validity of the first path associated with each web site displayed; wherein said list of names of said web sites displayed does not display either a time or a date with said web

sites in said list (Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer and Pentikainen with the teachings of Van Der Meulen for displaying next to each of said names of said web sites, a respective graphic having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein said list of names of said web sites displayed does not display either a time or a date with said web sites in said list, for enabling efficient update of a user interface element with time (Van Der Meulen: Paragraph 9, lines 1-3).

said first and second program instructions are recorded on said medium for execution by said central processing unit of said computer system for displaying to said user (Sommerer: Figure 12; Van Der Meulen: Figure 4).

With respect to claim 47, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a computer program product as set forth in claim 46, wherein said intensity of said respective graphic next to a name of a respective newer web site in said list of names of web sites is more intense for a newer web site more recently visited by said user than said intensity of said respective graphic next to another name of another older web site in said list of names of web sites that corresponds to an older web site less recently visited by said user (Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27; Pentikainen: Paragraph 100, lines 1-26; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 48, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a computer program product as set forth in claim 46, wherein said respective graphic next to said respective web site comprises a color other than a shade of gray (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 49, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a computer program product as set forth in claim 46, wherein said respective graphic next to said respective newer web site in said list of names of said web sites adjoins with said another respective graphic next to said another older web site to form a gradient bar corresponding to said list of names of said web sites (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3; Here the graphics for multiple web site can adjoin each other to form a generally rectangular region perpendicular to the web site names, and combined with the various color intensities of the graphics can be similar to a gradient bar).

With respect to claim 50, Sommerer discloses a computer program product stored on a computer readable medium for displaying to a user a web browsing history on a computer system having a central processing unit (Sommerer: Figure 12), said computer program product comprising:

a computer readable medium (Sommerer: Figure 12);

first program instructions to display a list of names of web sites visited by a user

(Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27),

However, Sommerer does not explicitly disclose:

said list of names of said web sites being displayed in an order based on frequency of visits by said user;

The Pentikainen reference, however, discloses a list of names of web sites viewable in an order based on a visit count (Pentikainen: Paragraph 100, lines 1-26).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer with the teachings of Pentikainen to display a list of web site names in an order based on frequency of visits by a user for controlling display of data in the form of content pages (Pentikainen: Paragraph 1, lines 5-6).

However, Sommerer and Pentikainen do not explicitly disclose:

second program instructions to display, next to each of said names of said web sites, of a respective graphic having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein said list of names of said web sites displayed does not display either a time or a date with said web sites in said list;

The Van Der Meulen reference, however, discloses displaying next to each names of web sites a respective graphic having intensity that corresponds to the level of validity of the first path associated with each web site displayed; wherein said list of names of said web sites displayed does not display either a time or a date with said web sites in said list (Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Sommerer and Pentikainen with the teachings of Van Der Meulen for displaying next to each of said names of said web sites, a respective graphic having an intensity that corresponds to a respective time since last visit by said user to said each of said web sites displayed; wherein said list of names of said web sites displayed does not display either a time or a date with said web sites in said list, for enabling efficient update of a user interface element with time (Van Der Meulen: Paragraph 9, lines 1-3).

said first and second program instructions are recorded on said medium for execution by said central processing unit of said computer system for displaying to said user (Sommerer: Figure 12; Van Der Meulen: Figure 4).

With respect to claim 51, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a computer program product as set forth in claim 50, wherein said intensity of said respective graphic next to a name of a respective web site in said list of names of web sites is more intense for a web site more frequently visited by said user than said intensity of said respective graphic next to another name of another web site in said list of names of said web sites that corresponds to another web site less frequently visited by said user (Sommerer: Abstract, lines 1-18; Paragraph 57, lines 20-27; Pentikainen: Paragraph 100, lines 1-26; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 52, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a computer program product as set forth in claim 51, wherein said respective graphic next to said respective web site comprises a color other than a shade of gray (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3).

With respect to claim 53, Sommerer in view of Pentikainen and in further view of Van Der Meulen discloses a computer program product as set forth in claim 51, wherein said respective graphic next to said respective web site in said list of names of web sites adjoins with said another respective graphic next to said another web site to form a gradient bar corresponding to list of names of said web sites (Sommerer: Paragraph 57, lines 20-27; Van Der Meulen: Paragraph 49, lines 14-43; Figures 2-3; Here the graphics for multiple web site can adjoin each other to form a generally rectangular region perpendicular to the web site names, and combined with the various color intensities of the graphics can be similar to a gradient bar).

Remarks

Applicant's arguments with respect to claims 34-41, and 46-53 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to REZWANUL MAHMOOD whose telephone number is (571)272-5625. The examiner can normally be reached on M - F 10 A.M. - 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571)272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. M./
Examiner, Art Unit 2164

January 20, 2008

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164